



# ENVIRONMENTAL WASTE MANAGEMENT ASSOCIATES

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October 23, 1989

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Mr. Nader Nikjou  
Bureau of Hazardous Waste Engineering  
New Jersey Dept. of Environmental Protection  
33 Arctic Parkway, CN 028  
Trenton, New Jersey 08625-0028

RE: Frey Industries, Inc.  
Newark, New Jersey

Dear Mr. Nikjou:

Mr. Frey and myself would again like to thank you for the time that you and your associates spent with us during the meeting of October 17, 1989; it was both productive and enlightening. This letter will serve to confirm several of the decisions and agreements which were made during that meeting. These decisions are as follows:

## 1. Compliance with ECRA

4225 } Frey Industries, Inc. sole operation at this facility is comprised of the warehousing, transfer and repackaging, and distribution of virgin products/materials for the chemical and pharmaceutical industry. Based on this operation, Frey Industries' standard industrial classification (SIC) is #4725. Therefore, Frey Industries is not subject to the requirements of the Environmental Cleanup Responsibility Act (ECRA), even in the event of a sale or cessation of operations. Frey Industries is in the process of obtaining a Letter of non-Applicability for the subject transaction.

## 2. Compliance with RCRA

Frey Industries has never treated, stored or disposed of a hazardous waste at the above referenced facility and therefore is not subject to the closure requirements of the Resource Conservation and Recovery Act (RCRA). Frey Industries can continue to operate at this facility (or at any other facility in the future) without TSD facility status. However, Frey Industries will obtain a new EPA ID generator number follow closure of this facility and transfer of operation to the Doremus Avenue site.

Frey Industries has never been associated with nor operated in a similar fashion as Jobar Packaging, Inc., the previous operator of this facility.

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Additionally, although Jobar Packaging, Inc., the previous operator at this facility had applied for a Part A permit under RCRA, no such permit exists. Therefore, it will not be necessary to delist Jobar from TSD facility status nor close the facility under RCRA.

### 3. Closure of Facility

Frey Industries, Inc. anticipates the cessation of operations at this location and the relocation of the operation to Doremus Avenue, Newark in the next several months. In anticipation of that move, a formal closure plan will be submitted to the NJDEP-Division of Waste Management, Metro Region. It is our understanding that this division will be responsible for the closure of this facility in Newark. The closure plan will describe in detail the following activities;

a. removal off-site of all material currently stored at this facility. Frey anticipates that the bulk of the material will either be transferred to the Doremus Avenue facility or shipped back to the manufacturer. As discussed, some repackaging and disposal may be required.

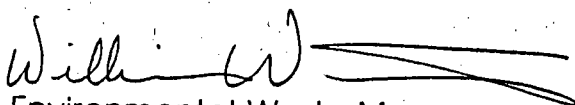
b. decontamination of building interiors used in the transfer or storage of material.

c. sampling in those areas of potential environmental concern in several areas. At this time, EWMA anticipates that some remediation followed by post-excavation sampling will be performed for specific areas.

d. RCRA waste classification analysis and waste determination of tank contents in Building # 7.

Again, I believe that the meeting helped clear the air for all parties concerned in the above case. If you have any questions or need additional information, please contact this office.

Very Truly Yours,



Environmental Waste Management Associates  
William Wertz, Senior Geologist

WKW/ww

cc: T. Frey  
A. Pugliese  
Richard S. Greenberg, Ph.D